

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23724 of 2005

Between:

K.Venkat Reddy, S/o K.Narayan Reddy

..... PETITIONER

AND

The Secretary, Regional Transport
Authority, Mahabubnagar, Mahabubnagar
District.

.....RESPONDENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23724 of 2005

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ORDER:

The petitioner is owner of the vehicle bearing No.AP-22/U-2222, a contract carriage bus. The grievance of the petitioner is that the respondent is not issuing special permits to ply the vehicle on the ground that the dispute in relation to demand notice, dated 29.07.2002, has not been resolved as on date. Petitioner contends that in relation to the demand made through notice, dated 29.07.2002, he filed W.P.No.18778 of 2002 and that an interim order was passed in W.P.M.P.No.22600 of 2002 on 27.09.2002 suspending the demand notice on condition of the petitioner depositing a sum of Rs.35,000/-. The condition is said to have been complied with. He contends that when the matter is pending before this Court, the respondent cannot insist for payment of the amount covered by the notice.

Learned Government Pleader for Transport, on the other hand, submits that there is nothing on record to conclude that the petitioner was denied any permits on the ground stated by him.

The petitioner has annexed a copy of the order passed by the Division Bench of this Court in W.P.M.P.No.22600 of 2002 in W.P.No.18778 of 2002. The demand notice, dated 29.07.2002, was suspended subject to condition of the petitioner depositing Rs.35,000/-. If that condition has been complied with, the respondent cannot deny any permits to the petitioner on the basis of the demand notice. Such a course would amount to interference with the process

of this Court and rendering the interim order futile. Petitioner states that no amount has fallen due subsequent to the orders passed by this Court in the said writ petition.

For the foregoing reasons, the writ petition is disposed of directing the respondent to issue special permits, in accordance with law, to the petitioner without making any reference to the demand notice, dated 29.07.2002, or the obligation of the petitioner thereunder. No order as to costs.

14.11.2005

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